

historic use of two proven negotiation tools to improve the pricing of schedules contracts-pre-award audits and postaward audits of pre-award information, after receiving testimony from David E. Cooper, Director, Acquisition and Sourcing Management, Government Accountability Office; Emily W. Murphy, Chief Acquisition Officer, and Kathleen S. Tighe, Counsel to the Inspector General, both of the General Services Administration; David H. Safavian, Administrator, Federal Procurement Policy, Office of Management and Budget; John B. Ames, Director, Contract Review and Evaluation Division, Office of Inspector General, Department of Veterans Affairs; and Thomas Graham, Networld Exchange, Carlsbad, California.

### INDIAN TRUST REFORM ACT

*Committee on Indian Affairs:* Committee concluded a hearing to examine legislation to resolve the lawsuit of Cobell v. Norton, focusing on S. 1439, to provide for Indian trust asset management reform and resolution of historical accounting claims, after receiving testimony from Jim Cason, Associate Deputy Secretary, and Ross Swimmer, Special Trustee for American Indians, both of the Department of the Interior; Tex Hall, National Congress of American Indians, Washington, D.C.; Jim Gray, Inter-Tribal Monitoring Association, Albuquerque, New Mexico; Ernest L. Stensgar, Affiliated Tribes of Northwest Indians, Portland, Oregon; James T. Martin, United South and Eastern Tribes, Inc., Nashville, Tennessee; and Elouise C. Cobell, Blackfeet Reservation Development Fund, Browning, Montana.

### IMMIGRATION REFORM

*Committee on the Judiciary:* Committee held a hearing to examine comprehensive immigration reform proposals, receiving testimony from Senators Kennedy, McCain, Kyl, and Cornyn; Hal Daub, American Health Care Association, and National Center For Assisted Living, Washington, D.C., on behalf of the Essential Worker Immigration Coalition; Tamar Jacoby, Manhattan Institute, New York, New York; and Gary Endelman, Houston, Texas.

Hearing recessed subject to the call.

### PATENTS REFORM

*Committee on the Judiciary:* Subcommittee on Intellectual Property held a hearing to examine harmonization and other matters concerning patents, focusing on the first-inventor-to-file issue, and pre-issuance submissions of art, receiving testimony from Gerald J. Mossinghoff, Oblon, Spivak, McClelland, Maier, and Neustadt, Alexandria, Virginia, former Assistant Secretary of Commerce and Commissioner of Patents and Trademarks; Q. Todd Dickinson, General Electric Company, Fairfield, Connecticut, former Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office; Christine J. Siwik, Rakoczy Molino Mazzochi LLP, Chicago, Illinois, on behalf of Barr Laboratories, Inc.; Marshall C. Phelps, Jr., Microsoft Corporation, Redmond, Washington; Charles E. Phelps, University of Rochester, Rochester, New York, on behalf of sundry groups; David Beier, Amgen, Washington, D.C.

Hearing recessed subject to the call.

### NOMINATION

*Committee on the Judiciary:* Committee concluded a hearing to examine the nomination of Timothy Elliott Flanagan, of Virginia, to be Deputy Attorney General, Department of Justice, after the nominee, who was introduced by Senators Warner and Allen, testified and answered questions in his own behalf.

### BUSINESS MEETING

*Select Committee on Intelligence:* Committee ordered favorably reported the nominations of Janice B. Gardner, of Virginia, to be Assistant Secretary for Intelligence and Analysis, Department of the Treasury, Benjamin A. Powell, of Florida, to be General Counsel of the Office of the Director of National Intelligence, and John S. Redd, of Georgia, to be Director of the National Counterterrorism Center, Office of the Director of National Intelligence.

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## House of Representatives

### Chamber Action

**Public Bills and Resolutions Introduced:** 23 public bills, H.R. 3426–3448; and 6 resolutions, H. Con. Res. 218; and H. Res. 383–384, 388–390 were introduced. **Pages H6649–50**

**Additional Cosponsors:**

**Pages H6651–52**

**Reports Filed:** Reports were filed today as follows:

H. Res. 385, providing for consideration of H.R. 5, to improve patient access to health care services and provide improved medical care by reducing the

excessive burden the liability system places on the health care delivery system (H. Rept. 109–185);

H. Res. 386, providing for consideration of H.R. 3045, to implement the Dominican Republic-Central America-United States Free Trade Agreement (H. Rept. 109–186);

H. Res. 387, providing for consideration of H.R. 3283, to enhance resources to enforce United States trade rights (H. Rept. 109–187); **Page H6649**

Conference report to accompany H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–188); and **Pages H6562–H6628**

Conference report to accompany H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and for other purposes (H. Rept. 109–189). **Pages H6628–38**

**Speaker:** Read a letter from the Speaker wherein he appointed Representative Marchant to act as Speaker pro tempore for today. **Page H6433**

**Chaplain:** The prayer was offered today by Rev. W. Don Young, Senior Pastor, Heartland Worship Center, Paducah, Kentucky. **Page H6436**

**Recess:** The House recessed at 9:23 and reconvened at 10:00 a.m. **Page H6436**

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Brian P. Parrello Post Office Building Designation Act:** S. 904, designating the facility of the United States Postal Service located at 1560 Union Valley Road in West Milford, New Jersey, as the “Brian P. Parrello Post Office Building”; —clearing the measure for the President. **Pages H6452–53**

**Servicemembers’ Group Life Insurance Enhancement Act of 2005:** H.R. 3200, enhancing the Servicemembers’ Group Life Insurance program, by a  $\frac{2}{3}$  yeas-and-nays vote of 424 yeas with none voting “nay”, Roll No. 420; **Pages H6453–58, H6464**

**Paul Kasten Post Office Building Designation Act:** Debated yesterday, July 25: H.R. 2977, designating the facility of the United States Postal Service located at 306 2nd Avenue in Brockway, Montana, as the “Paul Kasten Post Office Building” by a  $\frac{2}{3}$  yeas-and-nays vote of 422 with none voting “nay”, Roll No. 423; **Page H6466**

**Abraham Lincoln Birthplace Post Office Building Designation Act:** Debated yesterday, July 25: H.R. 2894, designating the facility of the United States Postal Service located at 102 South Walters Avenue in Hodgenville, Kentucky, as the “Abraham Lincoln Birthplace Post Office Building” by a  $\frac{2}{3}$

yeas-and-nays vote of 421 with none voting “nay”, Roll No. 427; and **Page H6509**

**James T. Malloy Post Office Building Designation Act:** Debated yesterday, July 25: H.R. 3339, designating the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the “James T. Malloy Post Office Building” by a  $\frac{2}{3}$  yeas-and-nays vote of 423 yeas with none voting “nay”, Roll No. 431. **Pages H6549–50**

**Suspension—Failed:** The House failed to agree to suspend the rules and pass the following measure:

**United States Trade Rights Enforcement Act:** H.R. 3283, amended, enhancing resources to enforce United States trade rights, by a  $\frac{2}{3}$  yeas-and-nays vote of 240 yeas to 186 nays, Roll No. 421.

**Pages H6440–52, H6464–65**

**Department of the Interior, Environment and Related Agencies Appropriations Act of 2006—Motion to go to Conference:** The House disagreed to the Senate amendment to H.R. 2361, making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and agreed to a conference. **Pages H6458–63**

The House agreed to the Obey motion to instruct conferees by a yeas-and-nays vote of 426 yeas with none voting “nay”, Roll No. 422.

**Pages H6458–63, H6465**

Appointed as conferees: Representatives Taylor of North Carolina, Lewis of California, Wamp, Peterson of Pennsylvania, Sherwood, Istook, Aderholt, Doolittle, Simpson, Dicks, Obey, Moran of Virginia, Hinchey, Olver, and Mollohan. **Page H6466**

**Legislative Branch Appropriation for FY 2006—Motion to go to Conference:** The House disagreed to the Senate amendments on H.R. 2985, making appropriations for the Legislative Branch for the fiscal year ending September 30, 2006, and agreed to a conference. **Page H6463**

Appointed as conferees: Representatives Lewis of California, Kingston, Granger, Doolittle, LaHood, Obey, Hoyer, and Moran of Virginia. **Page H6463**

**Small Business Health Fairness Act of 2005:** The House passed H.R. 525, to amend title I of the Employee Retirement Income Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees, by a yeas-and-nays vote of 263 yeas to 165 nays, Roll No. 426. **Pages H6477–H6509**

Rejected Mr. Miller of California motion to recommit the bill to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with amendments, by

a yea-and-nay vote of 198 yeas to 230 nays, Roll No. 425.

Pages H6506–08

Rejected the Kind amendment (No. 1 printed in H. Rept. 109–183) in the nature of a substitute regarding the establishment of a Small Employer Health Benefits Plan (SEHB), by a yea-and-nay vote of 197 yeas to 230 nays, Roll No. 424; and

Pages H6497–H6506

H. Res. 379, the rule providing for consideration of the bill was agreed to by voice vote.

Pages H6466–72

**Postal Accountability and Enhancement Act:** The House passed H.R. 22, to reform the postal laws of the United States, by a recorded vote of 410 ayes to 20 noes, Roll No. 430.

Pages H6511–49

Pursuant to the rule, the amendment in the nature of a substitute recommended by the Committee on Government Reform now printed in the bill was considered as an original bill for the purpose of amendment.

Page H6522

Rejected:

Hensarling amendment (No. 3 printed in H. Rept. 109–184) that sought to reduce the bill's cost by ensuring that 100% of the Civil Service Retirement System saving released will be directed to pay the Postal Service's unfunded healthcare liability;

Pages H6544–47

Pence amendment (No. 1 printed in H. Rept. 109–184) that sought to remove the requirement that the first vacant slot on the Board of Governors is to be filled by an individual with unanimous backing by the labor unions, (by a recorded vote of 82 ayes to 345 noes, Roll No. 428); and

Pages H6538–41, H6547–48

Flake amendment (No. 2 printed in H. Rept. 109–184) that sought to establish a domestic pilot program to empower local postmasters to employ their experience and management expertise to test certain fundamental assumptions relating to the provisions of universal mail service in the U.S. (by a recorded vote of 51 ayes to 379 noes, Roll No. 429).

Pages H6541–44, H6548

H. Res. 380, the rule providing for consideration of the bill was agreed to by voice vote.

Pages H6472–77

**Late Report:** Agreed that the managers on the part of the House have until midnight tonight, July 26, to file conference reports to accompany H.R. 2361, Department of the Interior, Environment, and Related Agencies Appropriations Act for FY 2006 and H.R. 2985, Legislative Branch Appropriations Act for FY 2006.

Pages H6509–10

**Federal Food, Drug and Cosmetic Act:** The House agreed by unanimous consent to H.R. 3423,

to amend the Federal Food, Drug, and Cosmetic Act with respect to medical device user fees.

Pages H6510–11

**Senate Message:** Message received from the Senate today appears on page H6510.

**Quorum Calls—Votes:** 9 yea-and-nay votes and 3 recorded votes developed during the proceedings today and appear on pages H6464, H6464–65, H6465, H6466, H6506, H6508, H6508–09, H6509, H6547–48, H6548, H6549, and H6549–50. There were no quorum calls.

**Adjournment:** The House met at 9 a.m. and adjourned at 11:46 p.m.

## Committee Meetings

### FDA FISCAL YEAR 2006 APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on FDA Fiscal Year 2006 Appropriations. Testimony was heard from the following officials of the Department of Health and Human Services: Lester M. Crawford, D.V.M., Commissioner, and Kathleen D. Heuer, Associate Commissioner of Management, both with the FDA; and Lester Cash, Director, Division of Budget Policy, Execution and Review, Acting Assistant Secretary, Budget.

### WEST BANK/GAZA ASSISTANCE

*Committee on Appropriations:* Subcommittee on Foreign Operations, Export Financing, and Related Agencies held a hearing on West Bank/Gaza Assistance. Testimony was heard from James Wolfensohn, Quartet Special Envoy for Gaza Disengagement; the following officials of the Department of State: David C. Welch, Assistant Secretary, Bureau of Near Eastern Affairs; and James Bever, Mission Director, West Bank/Gaza Operations, U.S. Agency for International Development; and LTG William E. Ward, Deputy Commander, USA, Deputy Commander, U.S. Army Europe, Coordinate for Security, Department of Defense.

### MENTAL HEALTH

*Committee on Armed Services:* Subcommittee on Military Personnel held a hearing on mental health. Testimony was heard from the following officials of the Department of Defense: William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; LTG Kevin C. Kiley, USA, Surgeon General; VADM Donald C. Arthur, USN, Surgeon General; LTG George P. Taylor, Jr., USAF, Surgeon General, Department of the Air Force; COL Virgil J. Patterson, USA, Chief, Soldier and Family Support Branch, Army Medical Department Center and School;